

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

**IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE LITIGATION**

THIS DOCUMENT RELATES TO:

*State of California, ex rel. Ven-A-Care of the Florida
Keys, Inc. v. Abbott Laboratories, Inc., et al.*

Case No: 1:03-cv-11226-PBS

) **MDL No. 1456**
) **Master File No. 01-12257-PBS**
) **Subcategory Case No. 06-11337**
)
) **Judge Patti B. Saris**
)
) **Magistrate Judge**
) **Marianne B. Bowler**
)
)

**DECLARATION OF NICHOLAS N. PAUL IN SUPPORT OF PLAINTIFFS' MOTION
FOR PARTIAL SUMMARY JUDGMENT AS TO DEFENDANT SANDOZ INC.**

I, Nicholas N. Paul, do hereby declare as follows:

1. I am a Supervising Deputy Attorney General with the California Department of Justice, Bureau of Medi-Cal Fraud and Elder Abuse. I am admitted to practice law in the State of California and have been admitted pro hac vice in this matter.

2. On behalf of the plaintiff State of California, I am submitting with this declaration Exhibits in support of Plaintiffs' Motion for Partial Summary Judgment and as referenced in Plaintiffs' Local Rule 56.1 Statement of Undisputed Materials Facts as to Defendant Sandoz Inc.

3. The following exhibits are true and correct copies of the materials described:

Exhibit No.	Description
1	Declaration of J. Kevin Gorospe
2	Deposition of Christopher Worrell, taken March 26, 2008, selected pages and Exhibit 42 (<i>Designated Highly Confidential - Filed Under Seal</i>)
3	Deposition of Kevin Galownia, taken June 11, 2007, selected pages (<i>Designated Highly Confidential - Filed Under Seal</i>)

Exhibit No.	Description
4	Rule 30(b)(6) Deposition of Sandoz, Inc. (Armando Kellum) taken January 25, 2007, selected pages (<i>Designated Highly Confidential - Filed Under Seal</i>)
5	Deposition of Kevin Galownia, taken June 19, 2008, selected pages (<i>Designated Highly Confidential - Filed Under Seal</i>)
6	Deposition of Frank Stiefel, taken January 27, 2009, selected pages
7	Deposition of Frank Stiefel, taken November 13, 2008, selected pages
8	Deposition of Wanda Edwards, taken May 2, 2008, selected pages (<i>Designated Highly Confidential - Filed Under Seal</i>)
9	Rule 30(b)(6) Deposition of Sandoz, Inc. (Ronald Hartmann), taken May 6, 2009, selected pages
10	Declaration of Jeffrey J. Leitzinger, Ph.D. Regarding Defendant Sandoz

I declare under penalty of perjury that the foregoing is true and correct.

Executed November 24, 2009, at San Diego, California.

/s/ Nicholas N. Paul
NICHOLAS N. PAUL

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was delivered to all counsel of record by electronic service pursuant to Paragraph 11 of the Case Management Order No. 2, by sending on November 24, 2009, a copy to Lexis-Nexis for posting and notification to all parties.

/s/ Nicholas N. Paul
NICHOLAS N. PAUL